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REGISTRATE OF SCHAKE TOAHO

Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF IDAHO

KIMBERLEY SMITH and MICHAEL B. HINKLEY, individually and on behalf of those similarly situated,

Plaintiffs,

VS.

MICRON ELECTRONICS, INC., a Minnesota corporation,

Defendant.

Case No. CIV 01-0244-S-BLW

DEFENDANT'S STATEMENT OF NON-OPPOSITION TO PLAINTIFFS' MOTION TO EXTEND TIME TO RESPOND TO MOTION FOR PARTIAL SUMMARY JUDGMENT RE STATUTES OF LIMITATION (DOCKET NO. 208-209)

DEFENDANT'S STATEMENT OF NON-OPPOSITION TO PLAINTIFFS' MOTION TO EXTEND TIME TO RESPOND TO MOTION FOR PARTIAL SUMMARY JUDGMENT RE STATUTES OF LIMITATION (DOCKET NO. 208-209) - 1

Boise-173467.1 0026493-00046

ORIGINAL

Pursuant to Local Civil Rule 7.1(a)(5), Defendant Micron Electronics, Inc.

("Defendant"), by and through its attorneys, Stoel Rives LLP, in response to "Plaintiffs' Motion to Extend Time to Respond to Defendant's Motion for Partial Summary Judgment Re: Statutes of Limitation" (Docket Nos. 208-209) hereby files its notice of non-opposition.

Defendant has no opposition to Plaintiffs having an extension until July 14, 2004 within which to file their response to Defendant's Motion for Motion for Partial Summary Judgment Re: Statutes of Limitation.

DATED this 13th day of July, 2004.

STOEL RIVES LLP

Gregory C. Tollefson

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this day of July, 2004, I caused to be served a true copy of the foregoing DEFENDANT'S STATEMENT OF NON-OPPOSITION TO PLAINTIFFS' MOTION TO EXTEND TIME TO RESPOND TO MOTION FOR PARTIAL SUMMARY JUDGMENT RE STATUTES OF LIMITATION (DOCKET NO.

208-209) by the method indicated below, and addressed to each of the following:

William H. Thomas Daniel E. Williams Christopher F. Huntley HUNTLEY PARK LLP 250 South 5th Street P.O. Box 2188 Boise, Idaho 83701-2188 [X] U.S. Mail
[] Hand Delivery
[] Overnight Delivery
[X] Facsimile

Gregory Tollefson